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UNITED STATES DISTRICT COURT

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CENTRAL DISTRICT OF CALIFORNIA

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13 SANDRA KIRKMAN, CARLOS
14 ALANIZ, individually and successors-in-
15 interest to JOHN ALANIZ, deceased,

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Plaintiffs,

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vs.

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STATE OF CALIFORNIA, RAMON
SILVA, and DOES 1-10, inclusive,

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Defendants.

Case No. 2:23-cv-07532-DMG-SSC

Assigned to:

Hon. Dolly M. Gee

Hon. Stephanie S. Christensen

**JOINT STIPULATION FOR AN
EXTENDED BRIEFING SCHEDULE
ON DEFENDANTS' ANTICIPATED
DISPOSITIVE MOTION;
STIPULATION TO DISMISS
CERTAIN CLAIMS**

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TO THIS HONORABLE COURT:

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IT IS HEREBY STIPULATED by and between Plaintiffs SANDRA KIRKMAN and CARLOS ALANIZ, individually and as successors in interest to John Alaniz, deceased; and Defendants STATE OF CALIFORNIA, ACTING BY AND THROUGH THE CALIFORNIA HIGHWAY PATROL, and RAMON SILVA ("the Parties"), by and through their respective attorneys of record, as follows:

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1. The Parties have met and conferred regarding Defendants' anticipated motion

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1 for summary judgment. The meet and confer discussions began on December
2 30, 2024 via email and written correspondence and continued by phone call
3 on January 2, 2025.

4 2. During the meet and confer process, the Parties have narrowed the issues to
5 be raised in Defendants' motion for summary judgment, and the Parties also
6 agreed to an extended briefing schedule.

7 3. Accordingly, the Parties stipulate and agree as follows: Plaintiffs shall dismiss
8 the following claim asserted in their operative complaint: (1) Claim 2, Denial
9 of Medical Care (42 U.S.C. § 1983). Additionally, Plaintiffs shall dismiss the
10 allegations in their Complaint made in paragraph 73, subsections (d), (e), (f),
11 and (g) only as well as their claims for punitive damages against Defendant
12 Ramon Silva.

13 4. The Parties also agree that Plaintiffs shall have two weeks to oppose
14 Defendants' motion for summary judgment, which is also reflected in the
15 Parties' Joint Scheduling Report (Dkt. No. 12 at p. 6). An extended briefing
16 schedule is also consistent with this Court's Standing Order (Dkt. No. 8 at p.
17 6, "Whenever possible, the party moving for summary judgment should
18 provide more than the minimum 28-day notice for motions.").

19 5. Additionally, Plaintiffs' lead trial counsel, Mr. Galipo will be in trial on the
20 current last day to hear dispositive motions, February 21, 2025, but would be
21 available to appear at a hearing set for February 28, 2025.

22 6. Therefore, the Parties respectfully request a brief continuance of the last day
23 to hear a dispositive motion from February 21, 2025 to February 28, 2025 to
24 accommodate this extended briefing schedule.

25 7. The Parties further hereby respectfully request that the Court set the hearing
26 date on Defendants' anticipated motion for summary judgment for February
27 28, 2025 at 9:30 a.m.

1 8. The Parties stipulate that GOOD CAUSE exists for this Court to order the
2 following briefing schedule, including because the Parties have a mediation
3 scheduled in this case to take place on January 15, 2025, which could
4 potentially result in the hearing coming off calendar:

Event	Current Date	Proposed Date
Last Day to Hear Dispositive Motions	February 21, 2025	February 28, 2025
Last Day to file a Reply Brief re: Dispositive Motion	February 7, 2025	February 14, 2025
Last Day to file an Opposition to a Dispositive Motion	January 31, 2025	February 7, 2025
Last Day to file a Dispositive Motion	January 24, 2025	January 24, 2025

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13 **IT IS SO STIPULATED.**

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15 DATED: January 8, 2025

DEAN GAZZO ROISTACHER

16 By: /s/ Lee H. Roistacher
17 Lee H. Roistacher, Esq.
18 Attorneys for Defendants, State of
19 California, acting by and through the
20 California Highway Patrol, and Ramon
21 Silva

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23 DATED: January 8, 2025

LAW OFFICES OF DALE K. GALIPO

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25 By: /s/ Dale K. Galipo
26 Dale K. Galipo, Esq.
27 Shannon J. Leap Esq.¹
28 Attorneys for Plaintiffs

¹ Pursuant to Local Rule 5-4.3.4, as the filer of this document, I attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.